



Independent Police Auditor

NEWSLETTER

City of San José

AUGUST 2001

www.ci.sj.ca.us/ipa/home.html

VOLUME 10

Message from the Police Auditor



September of 2001 will mark the 8th Anniversary of the establishment of the Independent Police Auditor (IPA). In reflecting

and assessing the last eight years, few will disagree that the IPA has been instrumental in bringing to fruition many significant improvements to the San José Police Department (SJPd). What was once a very controversial issue, with time, has evolved into a city office that routinely handles citizen complaints alleging dissatisfaction with police services. Perhaps the most visible testament to this is the absence of demonstrations and angry shouts during the IPA's presentation of its findings to the City Council. Proffered changes in police practices are now being reached through consensus with the SJPd and include input from the public, police officers and data from citizen complaints. While differences in the finding of individual complaint investigations will continue to arise, the coexistence and mutual goal of providing excellent police service, remain the same for the IPA and the SJPd. I urge everyone to take an active role in assessing the quality of services rendered by the IPA and the SJPd through the use of the citizen complaint or commendation process.

NEW FACES...NEW LOCATION

In August of 2000, the Office of the Independent Police Auditor relocated to a new office, **(2 N. Second Street, Suite 93)** and two new positions were filled. The addition of a Citizen Complaint Investigator and an Office Specialist has enhanced the IPA office by allowing the staff to specialize their services and provide more interaction with the complainants, while meeting the increased demand from the public. There is no doubt that the additional office support guarantees the continual commitment to provide the public with quality and professional customer service.

The additional personnel also allows the Public and Community Relations Coordinator to concentrate on community outreach. The education of the community about the citizen complaint process is a mandate and an on-going objective of the IPA office.

The new office is in the heart of Downtown, easily accessible by public transportation. Office hours are 8:00 A.M. to 5:00 P.M., Monday through Friday. The IPA staff speaks English, Spanish, Cantonese, and Mandarin.



Kit Kwan, Marifel Juan, Hank Sisneros & Steve Wing (from left to right)

New Address
New Phone #



We Have Moved To...

**2 N. Second Street, Suite 93
San José, CA 95113**

Tel. (408) 794-6226

Fax (408) 977-1053

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THE IPA PRESENTS ITS ANNUAL REPORT

Every year, the Independent Police Auditor (IPA) reports its annual progress and policy recommendations via an annual public report presented to the Mayor, City Council, and the public. This year, the 2000 Year End Report was released in May at a press conference held at the IPA office. Discussion and approval of this report was conducted at an evening session of the San José City Council.

The Chief of Police also presented his response to the recommendations made by the IPA. Chief William Lansdowne praised the report as the most comprehensive report issued by practitioners of civilian oversight. He pledge to adopt and implement all the recommendations contained in this report.

In addition to policy recommendations, the 2000 Year End Report also contains information on the different types of complaints filed, disciplines imposed, background information



on the subject officers and the complainants. Statistical information is broken down by council districts and ethnic groups. For more information about this report or to download a copy, visit the IPA's website at:

www.ci.sj.ca.us/ipa/reports.html



The IPA speaks to the media regarding the 2000 Year End Report.

VOLUNTARY MEDIATION PROGRAM

In the 1999 Year End Report, the IPA recommended that a voluntary mediation program be established by the San José Police Department (SJPd) whereby the complainants and police officers would have the opportunity to come together to discuss and clarify concerns specific to complaints filed. While conducting research for this recommendation, the IPA found that in some less serious cases the complainants did not wish to file complaints, but instead wanted the opportunity to be heard and to hear first hand responses from the subject officers. A Voluntary Mediation

Program facilitates this type of dialogue.

The City Council approved this recommendation on April 8, 2000, and a feasibility study was then conducted. The SJPd participated with the IPA and members of the Judicial Arbitration and Mediation Services (JAMS) to design a pilot program that is expected to become operational on July 1, 2001. JAMS member, retired Judge John A. Flaherty, was particularly helpful in designing this program. Complainants and police officers will now have an alternative process in which to resolve conflicts that arise without resorting to formal investigations as the only option.

2001 MID-YEAR STATISTICS

COMPLAINTS DECLINE

In the first six months of 2001, citizen complaints sharply declined 33 percent. One hundred and fifty-one (**151**) complaints were filed in the first six months of 2001 in contrast to **225** filed in the first half of the year 2000. Complaints dropped in every council district. Unnecessary Force Complaints, the most serious type, had a decrease of **46%**.

While we cannot identify all the reasons for the decrease in complaints, a customer relations training was just completed by the San José Police Department. This training is the direct result of an IPA recommendation made last year for officers to receive training in communication and interpersonal skills. The San José Police Department implemented new training where every officer, of every rank, was required to attend a class on improving communication skills in day to day interaction with the public. This training was designed to be interactive, requiring and facilitating discussion among officers in attendance. Several scenarios taken from actual complaints were analyzed and the conduct of the officers scrutinized. Young officers had an opportunity to hear and learn from veteran officers' experiential techniques on diffusing confrontations and tips on how to avoid conflict altogether. This type of training, no doubt, has been instrumental in improving citizen-police relations and a factor in the reduction of complaints.

COMMUNITY OUTREACH

IPAAC MEMBERS TOUR SJPD TRAINING FACILITY

In June, members of the Independent Police Auditor Action Committee (IPAAC) and members of the IPA attended a tour of the San José Police Department (SJPD) training facility to learn about the SJPD's training program. Attendees gained insight about the operation and mission of the SJPD Training Division and laws related to the use of deadly force and escalation of force. Officers demonstrated how the Driver and Force Option Training Simulators are used by officers facing calls that require split second decisions in life threatening circumstances. An overview and hands-on exposure to the less-lethal weapons available to officers was also provided. Training and access to these type of weapons has been one of the most important recommendations made by the IPA. To date, there has been only one police shooting which resulted in a non-fatal wound to the suspect.

*Thank You MACSA
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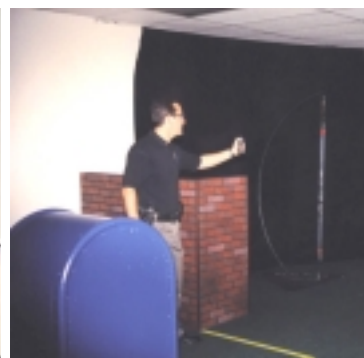
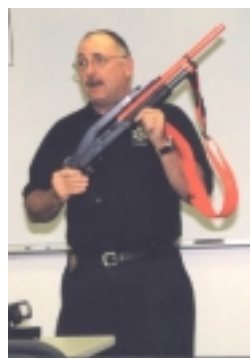
The IPA office has established over 30 referral sites in the City where the public may obtain information about the office. One of these referral sites is the Mexican American Community Services Agency (MACSA). The referral site concept has been successful in informing the public about the IPA and this was particularly evident in a recent case that was referred by MACSA.

Parents of a youth who had contact with police came to the IPA office to file a complaint against two San José officers for what they felt was police harassment. The parents alleged that their son was stopped, searched, and questioned about drug possession by two officers. After reviewing the information and consulting with the police department, it was learned that the two alleged San José Police officers were not police officers but individuals impersonating San José police officers. The parents filed a police report with the San José Police Department and the case is currently being investigated. Impersonating a police officer is a serious crime.

Thank you to MACSA for referring the family to the IPA, and to the family for coming forward with the information.



For more information about the IPA, how to serve as a referral site or community presentations, please call (408) 794-6226.



SJPD officers demonstrate how different simulators provide officers with more training.

YOUTH PRESENTATIONS

This year, the IPA office is focusing more of its efforts on working with the youth in San José. Currently the IPA has conducted youth presentations at Santa Teresa High School, Yerba Buena High School, and the Filipino Community Youth Forum at Evergreen Community College.

At every presentation, students were asked to answer a survey to assess their interaction and concerns about the police. As expected, not one single student had heard about the IPA prior to the presentation, but over 70% had experienced some type of contact with the police. Of these students, 28% received a verbal warning from the officer(s); 21% were searched; 15% were given a citation; and 26% reported that no enforcement action was taken. Of the youth surveyed, over 50% said that they would feel comfortable filing a complaint against an officer. Students were also asked to provide suggestions on how police officers can improve their relationship with young people. Being friendly and polite was the number one suggestion, followed by treating youth with respect and serving as role models/mentors.



The IPA surveys youth for their input.



Office of the Independent Police Auditor
City of San José
2 N. Second Street, Suite 93
San José, CA 95113

COMPLAINT FORM

(To file a complaint, please fill out this form and mail/fax it to the IPA office.)

First Name: _____ Last Name: _____ Middle Initial: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Home Phone # () _____ Work Phone # () _____

Date & Time of Incident: _____ Location of Incident: _____

The following occurred: _____

Upon receipt of this form, you will be contacted by a member of the IPA.

IPASTAFF: Teresa Guerrero-Daley, Police Auditor * Steve Wing, Assistant Auditor * Vilcia N. Reyes, Public & Community Relations
Kit Kwan, Data Analyst * Hank Sisneros, Citizen Complaint Investigator * Marifel Juan, Office Specialist

We welcome your comments regarding this newsletter.



Independent Police Auditor
City of San José
2 N. Second Street, Suite 93
San José, California 95113

**To file a complaint against
a San José police officer, contact:**

Independent Police Auditor

2 N. Second Street, Suite 93

San José, CA 95113

Tel (408) 794-6226

Fax (408) 977-1053

Email: Ind_Pol_Aud@ci.sj.ca.us

or visit our website at:

<http://www.ci.sj.ca.us/ipa/home.html>

or

Internal Affairs Unit

777 N. First Street, Suite 666

San Jose, CA 95112

Tel (408-)277-4094

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